

31. (Amended) The composition of claim 30, wherein said red blood cell composition further comprises a red blood cell is immunocompatible in a vertebrate.

REMARKS

Applicants have elected for prosecution the subject matter of the claims of Group I, directed to a method of producing a red blood cell comprising an agent, the red blood cells produced by the method, and *in vitro* use of the red blood cells produced, are elected for prosecution. Claims 1-4, 9-19 and 30-32 are currently pending in the application. Claims 5-8, 20-29 and 33-35 are withdrawn as directed to non-elected inventions. Claims 1, 4, 11 and 31 are amended herein to correct minor typographical errors (Claims 4, 11 and 31), and an inadvertant lack of antecedent basis (Claim 1). No new matter is added by the amendments.

Filing Receipt

On August 21, 2001 and November 19, 2001, Applicants requested corrected Filing Receipts to correct the statement in the Filing Receipt that the filing date of February 11, 2000 for U.S. Application No. 60/181,796 did not match USPTO records.

A new Filing Receipt has been issued, listing the correct filing date for U.S. Application No. 60/181,796.

For completeness, Applicants provide herewith a photocopy of the postcard receipt from the filing of that provisional application clearly stamped by the USPTO with an application number of 60/181,796 and a filing date of February 11, 2000. Applicants respectfully request that the office records concerning the filing date of U.S. Application No. 60/181,756 be corrected, if necessary.

Date: August 27, 2002

Respectfully submitted,

Name: Joyce C. Hersh  
Registration No.: 42,890  
Customer No.: 29933  
Palmer & Dodge LLP  
111 Huntington Avenue  
Boston, MA 02199-7613  
Tel: 617-239-0100



Attorney Docket No: 11067/1090 (Serial No.:09/748,789)

Inventor: McHale *et al.*

Filed: December 22, 2000

Response to Restriction Requirement and Preliminary Amendment

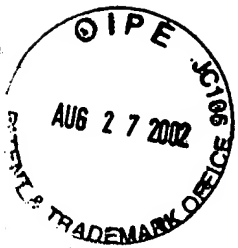
Page i

MARKED-UP VERSION OF AMENDMENTS:

Claim Amendments Under 37 C.F.R. § 1.121(c)(1)(ii)

Please amend claims 1, 4, 11 and 31 as follows:

1. (Amended) A method of producing a red blood cell comprising an agent, the method comprising:
  - (a) providing a [said] red blood cell;
  - (b) pre-sensitising said red blood cell; and [,]
  - (c) loading said red blood cell with said agent.
  
4. (Amended) A method for selectively releasing an agent from a red blood cell comprising the steps of:
  - (a) pre-sensitising a red blood cell;
  - (b) loading said red blood cell with an agent;
  - (c) electrosensitising said red blood cell; and
  - (d) effectuating substantial release of said agent from said sensitised red blood cell by applying ultrasound[,] at a frequency and energy sufficient to cause disruption of unsensitised red blood cells.[,]
  
11. (Amended) A method according to claim[s] 1 or claim 5, wherein said pre-sensitising step further comprises applying ultrasound to the red blood cell.
  
31. (Amended) The composition of claim 30[31], wherein said red blood cell composition further comprises a red blood cell is immunocompatible in a vertebrate.



**PATENT**

**4321/86219**  
**Atty: KMW**

**APPLICANT:** McHale et al.  
**TITLE:** Ultrasound Sensitisation (II)  
**FILED:** Concurrently herewith  
**SERIAL NO.:** Not yet assigned

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

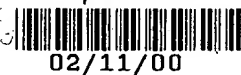
1. Provisional Application Cover Sheet
2. Certificate of Express Mail
3. Provisional Application (Specification 39 sheets)
4. Informal Figures (7 sheets)
5. Verified Statement Claiming Small Entity Status (unexecuted)

\$75.00 Fee paid by Deposit Account 19-0733  
**EXPRESS MAIL NO. EL171183199US**

**Date Mailed: February 11, 2000** By: KW

JC553 U.S. PTO

**60/181796**



02/11/00

**Banner & Witcoff, Ltd.**